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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/678,464

10/03/2003

Kirk Michael Bresniker

200208654-1

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11/30/2007

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EXAMINER

NGUYEN, THUY-VI THI

ART UNIT

PAPER NUMBER

4175

MAIL DATE

DELIVERY MODE

11/30/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/678,464	<b>Applicant(s)</b> BRESNIKER ET AL.	
	<b>Examiner</b> Thuy-Vi Nguyen	<b>Art Unit</b> 4175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/11/05, 08/08/05, 02/28/06</u> .                            | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Hougen et al (US Patent Application Publication, US 2003/0036983).

Regarding to claim 1, Hougen et al disclose a rack equipment management information coordination method comprising:

formulating a rack equipment management plan [...a management plan such as managing the configuration of a facility layout comprising the equipment racks from creating a database; see par. 0008 and figures 1 and 2];

directing automatic equipment description information detection [...equipment description such as equipment manufacturer, equipment model and equipment details; see par. 0043, lines 1-14; figures 4, 7-8 and 11]; and

storing the rack equipment description information and rack equipment management plan [...inventory database 12 and 18; see par. 0043, lines 16-21 and figure 1].

Regarding to claim 2, Hougen et al disclose further comprising retrieving possible performance level settings from rack equipment [...for example different

level of power consumption, weight and heat of rack equipment; see par. 0053, lines 10-29 and figures 18A-B, 19A-B].

Regarding to claim 3, Hougen et al disclose a rack equipment information coordination method of Claim 2 wherein said possible performance level settings from rack equipment include wattage settings [see par. 0053, lines 25-29 and figure 19B].

Regarding to claim 4, Hougen et al disclose wherein rack equipment management plan includes management objective guidelines [...for example user guide or installation guide; see par. 0054, lines 15-21].

Regarding to claim 5, Hougen et al disclose wherein said rack equipment management plan includes power and thermal budget guidelines [...power consumption and heat are calculated which is considered as determine the budget level based on the calculation; see par. 0053, lines 25-29 and figure 19B].

Regarding to claim 6, Hougen et al disclose wherein formulating said rack equipment management plan further comprises interfacing with a service agreement application [...enables used of the drawings, photographs from Auto CAD and text; see par. 0007, lines 1-17]

Regarding to claim 7, Hougen et al disclose further comprising integrating said rack equipment description information with said rack equipment management plan [...rack equipment description information such as rack identification number, elevation, barcode number, model, serial number; see par. 0054, lines 9-13].

Regarding to claim 8, Hougen et al disclose a rack equipment information coordination system comprising:

an equipment description information repository for tracking equipment description information [...equipment description such as equipment manufacturer and equipment model are stored in inventory databases 12, 18; see par. 0043, lines 9-21 and figure 1];

a management plan information repository for tracking rack equipment management plan information [...record equipment and system layout which is stored in database 12 and 18; see par. 0046 and figure 2]; and

a coordination component for coordinating said equipment description information and said rack equipment management plan information [...a coordination component such as Auto CAD, Microsoft Internet Explorer, Microsoft Access and /or Visual Basic software; see par. 0007, par. 0039].

Regarding to claim 9, Hougen et al disclose wherein said equipment description information repository stores information associated with features and characteristics of rack equipment and support equipment [...for example equipment model, equipment manufacturer, photos of equipment, power consumption; see par. 0043, lines 9-19; par. 0053, lines 22-26].

Regarding to claim 10, Hougen et al disclose wherein said equipment description information repository stores information indicating possible operation settings of rack equipment [...for example different level of power

consumption, weight and heat of rack equipment; see par. 0053, lines 10-29 and figures 18A-B, 19A-B].

Regarding to claim 11, Hougen et al disclose wherein said equipment description information repository stores information indicating rack equipment is capable of operating at varying power levels and corresponding heat generated at each level [...for example different level of power consumption, and heat of rack equipment; see par. 0053, lines 10-29 and figures 18A-B, 19A-B].

Regarding to claim 12, Hougen et al disclose wherein said equipment description information repository stores performance level information [...for example detail of selected equipment rack, power consumption and heat level; see par. 0053, lines 16-17, lines 26-26].

Regarding to claim 13, Hougen et al disclose wherein said management plan information repository tracks management policy and guideline information associated with a rack equipment management plan [...managing the configuration of a facility layout; documentation; see par. 0008, par.0054, lines 4-5].

Regarding to claim 14, Hougen et al disclose wherein policy information can provide a correlation between a trigger event and a rack equipment management objective [...policy information indicated the level details of particular equipment; for example, each piece of equipment in a rack is labeled its level of performance like power consumption, heat, the current (Amps). It is considered that if the maximum of current of the rack is 36 Amps, then 40 Amps of total equipments are performed,

then the trigger of events may occur; see par. 0009; par. 0054, lines 6-10 and figure 19B].

Regarding to claim 15, Hougen et al disclose wherein said coordination component provides a correlation between policies associated with particular client and rack equipment implementing the client's applications [...user guide, installation guide form the manufacturer/client; see par. 0054, lines 15-21].

Regarding to claim 16, Hougen et al disclose further comprising:

a repository management component for managing information flow to and from said equipment description information repository and said management plan information repository; and

a communication link for communicating information to and from said repository management component [see par. 0007, lines 17-20].

Regarding to claim 17, Hougen et al disclose a computer system comprising:

a means for communicating rack equipment related information [...for example: user computer 32, and computers 16; see par. 0038; and figure 1];

a means for storing said rack related information and instructions, including instructions for implementing rack equipment information coordination [...database 12, 18; see par. 0045, lines 1-8; 0046, lines 1-5; figures 1-2];

a means for processing information and instructions, including said instructions and information for managing rack equipment information coordination [...instruction of details of equipment; see par. 0054, lines 4-21; and figures 19-21].

Regarding to claim 18, Hougen et al disclose further comprising:

a rack equipment description retrieval module for controlling automatic retrieval of rack equipment description information [...for example inventory data module; see par. 0036; lines 15-18; and figure 1];

a rack equipment management plan module for directing establishment of a rack equipment management plan [...database management software for operate the inventory management; see par. 0039; and figure 2];

a rack equipment correlation module for providing correlation instructions to a correlation component [...online documentation associated with the selected equipment unit; see par 0054, lines 4-21]; and

an instruction saving module for directing rack equipment description information and the rack equipment management plan information saving operations [see par. 0054, lines 4-21].

Regarding to claim 19, Hougen et al disclose wherein said rack equipment management plan module facilitates determination of rack equipment management objectives [see par. 0038; par. 0039]

Regarding to claim 20, Hougen et al disclose rack equipment management information coordination is utilized to support a variety of rack equipment management objectives [...information coordination such as inventory databases support the completing a layout management; see par. 0044, lines 1-3].



***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. The US patent Application Publication to Brown discloses a method and system for tracking central office equipment and inventory record.

The US Patents to Knoblock discloses a system and method for defining equipment in a telecommunication network down to the rack face level, and also to Knoblock discloses a system and method for placing articles of manufacture or pieces of equipment at a remote site.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuy-Vi Nguyen whose telephone number is 571-270-1614. The examiner can normally be reached on Monday through Thursday from 8:30 A.M to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrence Till can be reached on 571-272-1280. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Art Unit: 3721

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. N./

/Brian D Nash/

Primary Examiner, Art Unit 3721